

661-50303

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**09/700906**

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO.  
**PCT/EP99/03451**INTERNATIONAL FILING DATE  
**20 May 1999**PRIORITY DATE CLAIMED  
**22 May 1998**TITLE OF INVENTION **ANTISENSE OLIGONUCLEOTIDES FOR TREATING PROLIFERATING CELLS**APPLICANT(S) FOR DO/EO/US **Flad, Hans-Dieter; Bohle, Andreas; Deinert, Irina**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4.  The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10.  An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 16 below concern document(s) or information included:**

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A **FIRST** preliminary amendment.
- A **SECOND** or **SUBSEQUENT** preliminary amendment.
14.  A substitute specification.
15.  A change of power of attorney and/or address letter.
16.  Other items or information: Amend claims 4-8, 10 and 13 as follows, prior to calculating claim fees and without prejudice:

Claim 4, line 1, delete "bis 3".  
 Claim 5, line 1, delete "bis 4".  
 Claim 6, line 1, delete "bis 5".  
 Claim 7, line 1, delete "bis 6".  
 Claim 8, line 1, delete "bis 7".  
 Claim 10, line 1, delete "bis 8".  
 Claim 13, line 1, delete "oder 12".

The Claims have been amended to remove multiple dependency only.  
 No claims have been amended to overcome prior art.

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17.  The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :**

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1000.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$ 860

Surcharge of \$130.00 for furnishing the oath or declaration later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	15 - 20 =	0	X \$18.00	\$
Independent claims	3 - 3 =	0	X \$80.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$

**TOTAL OF ABOVE CALCULATIONS =**

\$ 990

Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

**SUBTOTAL =** \$ 990

Processing fee of \$130.00 for furnishing the English translation later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(f)).

\$ 130

**TOTAL NATIONAL FEE =** \$ 1,120

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

**TOTAL FEES ENCLOSED =** \$ 1,120

Amount to be refunded: \$

charged: \$ 1,120

a.  A check in the amount of \$ 1,120 to cover the above fees is enclosed.

b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0687. A duplicate copy of this sheet is enclosed.

Under Order No.: 62-661

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Customer No. 20736

SIGNATURE

Jeffrey S. Melcher

NAME

35,950

REGISTRATION NUMBER

November 21, 2000

**PTO RECEIPT FOR INDICATED ITEMS**

Transmittal Letter to US Designated Office Concerning Filing Under 35 USC 371

International Application No.: PCT/EP99/03451

Inventor: Flad

Title: Antisense Oligonucleotides for Treating Proliferating Cells

Attorney Docket No.: 661-50303

Preliminary Amendment

Fee Sheet

Check for \$1,120.

The PTO did not receive the following  
listed item(s)

*NO preliminary Amendment*

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Current Due Date: November 22, 2000

527 Rec'd FCT PTO 21 NOV 2000